

Meeting:	Harrow Admissions Forum
Date:	21 October 2009
Subject:	Information report: Admissions policy and location of school gates
Responsible Officer:	Hugh Peart, Director of Legal and Governance
Portfolio Holder:	Councillor Anjana Patel, Portfolio Holder for Schools and Children's Development
Exempt:	No
Enclosures:	None

## Section 1 – Summary and Recommendations

This report is provided for members' information in response to a request from the Harrow Admissions forum at their meeting of 14 July 2009 to advise on the designation of the entry points for schools for the purposes of calculating distances to schools for admissions procedures.

### **Recommendations:**

For information.

### **Reason: (For recommendation)**

Members requested information on the designation of entry points for schools for the purposes of calculating distances to schools for admissions procedures.

## **Section 2 – Report**

### **Background**

Harrow Council publishes admissions criteria annually; the criteria are applied where schools are oversubscribed. The current published admissions criteria determine that the Headteacher/Governing Body shall determine where school gates are for the purposes of calculating the distance to a particular school. There is no legal definition of a 'school gate'; the admissions criteria define the basis upon which Harrow Council uses the home to school criteria.

### **Current situation**

In the past, there have been some uncertainties regarding which entrances are utilised for the purposes of calculating the distance to a school gate. In order to overcome some of these difficulties, school gates for each school in the borough are now indicated on a plan. This plan is signed by the Headteacher of the school concerned, and published on the Harrow Council website. Applicants for school places are able to access copies of the plans via the website.

In determining the location of the entry points for a school, obvious considerations such as enabling access for disabled persons, maintaining a safe environment around the entrance in compliance with health and safety legislation, especially with regard to fire escapes, are important.

The crucial point is that the published admissions criteria makes clear reference to school gates and provides detailed information online.

### **Other options considered**

Members of the Harrow Admissions Forum have queried whether the Council would have planning control over the entry points at schools.

Members are advised that planning control in these types of circumstances can ordinarily only be exercised over physical structures and not entry points.

Newly erected gates and posts may fall within the type of physical structures the Council would have planning control over, but every potential breach of planning control would have to be assessed on a case by case basis.

Depending on the circumstances of each case, the planning enforcement officer would have to consider whether the physical structure falls within the statutory definition of the type of development that requires planning permission; how long the physical structure has been in situ; the harm resulting from the physical structure; and whether it would be expedient to take enforcement action to require removal of a physical structure.

### **Legal Implications**

The legal implications are addressed within the report.

## Financial Implications

There are no financial implications from this report, as this report is for information only.

## Risk Management Implications

Report for information only.

## Section 3 - Statutory Officer Clearance

Name: ...Emma Stabler.....	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: .....8.10.09.....		
Name: Jessica Farmer	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 8 October 2009		

\*Delete the words "on behalf of the" if the report is cleared directly by Myfanwy or Hugh.

## Section 4 - Contact Details and Background Papers

Contact: Catherine Morgans, Legal and Governance

Background Papers:

If appropriate, does the report include the following considerations?

1.	Consultation	YES / NO
2.	Corporate Priorities	YES / NO